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| 10/051,475 | 01/18/2002 | Stefan Keller-Tuberg | Alcatel 135881 | 1452 |
| 7590 | 04/07/2005 | | EXAMINER | |
| Alcatel USA M/S LEGL2 1000 Coit Road Plano, TX 75075-5813 | | | LE, HIEU C | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2142 | |

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/051,475

Applicant(s)

KELLER-TUBERG, STEFAN

Examiner

Hieu c. Le

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-25 is/are allowed.
- 6) ☒ Claim(s) 1-3, 7, 8, 11, 13, 15-28, 32, 33, 36, 38 and 40-43, 47-55 is/are rejected.
- 7) ☒ Claim(s) 4-6, 9, 10, 12, 14, 29-31, 34, 35, 37, 39 and 44-46 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claim Rejections - 35 U.S.C. § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 7-8, 13, 15, 26-28, 32-33, 38, 40-43, 47-48, 53, 55 are rejected under 35 U.S.C. 103(a) as being unpatentable by H-Peter Dommel et al, " Ordered end to end multicast for distributed multimedia system", System Sciences, proceeding of 33rd Hawaii Internet conference, Jan 2000 and in view of Andrew swan et al "Layered Transmission and Caching for the Multicast Session Directory Service" ACM, 1998, pp.119-128.

As to claim 1, Dommel discloses a method for facilitating multicasting of a file to a plurality of end users, comprising:

multicasting control service information for reception by a plurality of end user download devices [a source node multicast a message to a group of receiver node (end user download devices) in a session (p. 3, Rc, lines 2-19), the message consists of control header with receiving multicast group identifiers (control service information) (p.3, RC, lines 23-30)];

multicasting said offered content for reception by each one of said end user download devices in the group [the messages to the multicast group contains actual data stream in the body (p. 3, Rc, lines 23-32); the data streams are video or audio streams (content) (p. 1, Rc, lines 6-13).

wherein a multicast-capable distribution network facilitates multicasting of the

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control service information, facilitates receiving said requests for reception and facilitates multicasting the offered content [the network is using a reliable multicast protocol such as IGMP that supports these functions (P. 3, Rc, lines 40-42).

Dommel does not disclose,

receiving a plurality of requests for reception of offered content designated in the control service information, wherein said requests are received from a group of the end user download devices.

Swan discloses a system for Internet Multicast service for distributing continuous media to a multicast group address. The system broadcasts session descriptions and network addresses (control service information) to the multicast group (p. 122, Rc, lines 29-39-p123, Lc, lines 25-39). The session announcements contain all information needed to launch media specific tools for the session (p. 122, Rc, Lc 34-39, p127, Lc, lines 14-20) (i.e. requesting the reception of offered content designated in the control service information).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Swan's teachings to modify the method of Dommel by requesting the reception of offered content designated in the session announcement protocol (ASP) (control service information) by the end users in order to provide a network that automatically delivers a content flow from the source to each receiver of the multicast group along an efficient multicast routing tree.

As to claim 2, Dommel further discloses wherein multicasting control service information includes receiving the control service information initially transmitted from a

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centralized control apparatus [the TOM message (control service information) is transmitted from a centralized source node (p. 7; Lc, lines 19-23).

generating replicated versions of the control service information, wherein the replicated versions are generated by the multicast-capable distribution network [message is replicated (p. 2; Lc, lines 38-48) and

forwarding the replicated versions of said control service information for reception by each one of the group of the end user download devices (p. 2, Lc, line 44-p. 2, RC, line 2).

As to claim 3, Swan further discloses wherein receiving the control service information from the centralized control apparatus includes receiving an unsolicited advertisement of the control service information from the centralized control apparatus [the announcement are periodically multicast to all multicast groups (p. 122,RC, lines 29-32 & p. 123, Rc, Lines 13-20)].

As to claim 7, Swan further discloses wherein receiving the plurality of requests for reception of a file designated in the control service information includes receiving the requests within a prescribed interval of time (p. 122,RC, lines 40-44) .

As to claim 8, Swan further discloses wherein the prescribed interval of time begins at a designated time and extends for a designated duration (p. 122,RC, lines 40-46).

As to claim 13, Dommel further discloses wherein the multicast-capable distribution network is an Internet Protocol (P) based distribution network (fig.1); and receiving the plurality of requests for reception includes receiving an Internet Group

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Management Protocol IGMP membership report from each one of the group of the end user download devices (p. 3, Rc, lines 40-42).

As to claim 15, Dommel further discloses wherein multicasting the offered content includes:

receiving an initially transmitted copy of the offered content from a centralized control apparatus (p. 2, Lc, lines 38-48);

generating replicated versions of the offered content, wherein the replicated versions are generated by the multicast-capable distribution network (p. 2, Lc, lines 44-48); and

forwarding the replicated versions of the offered content for reception by each one of the group of the end user download devices (p. 2, Lc, line 48-Rc, line 2).

As to claim 26, refer to claim 1 rejection for their common features. Swan further discloses a centralized server coupled to the multicast-capable distribution network. The node can be a server (p. 1212, Lc, lines 36-34) and a data processor program enabling multicast capable distribution network to facilitate: multicasting control service information for reception by the plurality of end user download device (Fig. 3).

As to claim 27, refer to claim 2 rejection.

As to claim 28, refer to claim 3 rejection.

As to claim 32, refer to claim 7 rejection.

As to claim 33, refer to claim 8 rejection.

As to claim 38, refer to claim 13 rejection.

As to claim 40, refer to claim 15 rejection.

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As to claim 41, refer to claim 1 rejection.

As to claim 42, refer to claim 2 rejection.

As to claim 43, refer to claim 3 rejection.

As to claim 47, refer to claim 7 rejection.

As to claim 48, refer to claim 8 rejection.

As to claim 53, refer to claim 13 rejection.

As to claim 54, refer to claim 14 rejection.

As to claim 55, refer to claim 15 rejection.

3. Claims 11,36,51 are rejected under 35 U.S.C. 103(a) as being unpatentable by H-Peter Dommel et al, " Ordered end to end multicast for distributed multimedia system", System Sciences, proceeding of 33rd Hawaii Internet conference, Jan 2000 and in view of Andrew swan et al "Layered Transmission and Caching for the Multicast Session Directory Service" ACM,1998, pp.119-128, as applied to claims 1,26 and further in view of Ian F.Akyidia "Multimedia Group Synchronization protocols for Integrated Service Networks.

As to claim 11, neither Dommel nor Swan discloses 11. The method of claim 1, further comprising:

facilitating synchronization of the group of said end user download devices for enabling reception of said requests by the multicast-capable distribution network within a prescribed interval of time.

Akyildiz discloses a system for synchronizing the reception of media units using

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Virtual global time to receive the media units within a specific time (p. 169, Rc, lines 1-27 & Fig. 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Akyildiz's teachings to modify the combined method of Dommel and Swan by synchronizing the reception of requests within a prescribed interval of time in order to achieve a real time multimedia traffic that requires synchronization and maintaining temporal relationships among media.

As to claim 36, refer to claim 11 rejection.

As to claim 51, refer to claim 11 rejection.

Claims 16-25 are allowed.

Allowable Subject Matter

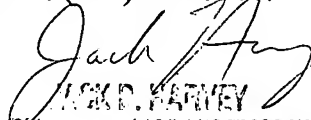
4. Claims 4-6,9-10,12,14,29-31,34-35,37,39,44-46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Le whose telephone number is (571) 272-3897. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey, can be reached on (571) 272-3896. The fax phone number for this Group is (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Hieu Le


JACK HARVEY
SUPERVISOR
EXAMINER